

UNITED STATES DISTRICT COURT
DISTRICT OF PUERTO RICO

ISMAEL MARRERO ROLÓN, ANNE
CATESBY JONES, JORGE VALDES
LLAUGER, PUERTO RICO BATHROOM
REMODELING, INC., PERFORMANCE
CHEMICALS COMPANY, INC.,

Plaintiffs,

v.

AUTORIDAD DE ENERGÍA ELÉCTRICA
A/K/A PUERTO RICO ELECTRIC POWER
AUTHORITY *et al.*,

Defendants.

C.A. No. 3:15-cv-01167-JAG

**PLAINTIFFS' OPPOSITION TO
ALCHEM'S MOTION SUBMITTING
"EXHIBIT A" TO REPLY MOTION**

Plaintiffs oppose Defendants Altol Chemical Environmental Laboratory, Inc. and Altol Environmental Services, Inc.'s (collectively, "Alchem") Motion Submitting "Exhibit A" to Reply Motion. In support thereof, Plaintiffs state as follows:

1. After being notified in writing that Plaintiffs considered the filing of Exhibit A to be a violation of Rule 408 of the Federal Rules of Evidence, as well as counsel's obligations pursuant to Rules 3.4 (Fairness to Opposing Party and Counsel), 4.1 (Truthfulness in Statements to Others), and 8.4 (Misconduct) of the American Bar Association's Model Rules of Professional Conduct, Alchem's counsel blatantly filed Exhibit A publicly anyway.

2. For the reasons identified in Plaintiffs' Motion to Strike Alchem's Reply and for Sanctions ("Plaintiffs' Motion"),¹ Plaintiffs respectfully request that the Court: (1) deny Alchem's Motion Submitting "Exhibit A" to Reply Motion; (2) either strike Exhibit A from the

¹ See Dkt. # 187 (Restricted).

ECF system or restrict Exhibit A for viewing only by Plaintiffs and Alchem; and (3) order that Exhibit A may not be used by any party to these proceedings.

3. Also as set forth in Plaintiffs' Motion, Plaintiffs request sanctions, pursuant to 28 U.S.C. § 1927, because the conduct of Alchem's counsel is continuing to unreasonably and vexatiously multiply these proceedings.

WHEREFORE, Plaintiffs respectfully request that the Court: (1) deny Alchem's Motion Submitting "Exhibit A" to Reply Motion; (2) either strike Exhibit A from the ECF system or restrict Exhibit A for viewing only by Plaintiffs and Alchem; and (3) order that Exhibit A may not be used by any party to these proceedings.

DATED: August 21, 2015

Respectfully submitted,

ISMAEL MARRERO ROLÓN, ANNE
CATESBY JONES, JORGE VALDES
LLAUGER, PUERTO RICO BATHROOM
REMODELING, INC., PERFORMANCE
CHEMICALS COMPANY, INC.

By: /s/ Elizabeth A. Fegan

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CERTIFICATE OF SERVICE

I hereby certify that on August 21, 2015 a copy of the foregoing was filed electronically. Notice of this filing will be sent to the attorneys of record by operation of the Court's electronic filing system as well as via electronic mail by Plaintiffs' counsel.

/s/Elizabeth A. Fegan

Elizabeth A. Fegan